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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,899	10/02/2003	Joseph Consolini	6601P033	2351

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EXAMINER

EDWARDS, LAURA ESTELLE

ART UNIT PAPER NUMBER

1734

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/678,899

Applicant(s)

CONSOLINI ET AL.

Examiner

Laura Edwards

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

Claims 1-5 and 8 are objected to because of the following informalities: in claim 1, line 6, "propell" should be changed to --propel--. Also, in line 6, "a photoresist" should be changed to -photoresist-. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamauchi et al (PAPUS2002/0112662).

Yamauchi et al teach a system for photoresist recovery comprising a nozzle (see [0032], lines 5-6) to dispense photoresist, a bowl (11) having an interior region and an interior surface; a wafer platform and spindle (see [0032], lines 1-9) disposed within the interior region of the bowl, the wafer spindle coupled to the wafer platform to spin the wafer platform to propel an excess amount of photoresist deposited upon a wafer placed upon the wafer platform to the interior surface of the bowl; a photoresist recovery container (52); and a perimeter drain (area 15, 19) formed within the bowl such that the excess amount of photoresist propelled from the wafer proceeds through the perimeter drain to the photoresist recovery container.

With respect to claim 2, see recovery drainpipe (51).

With respect to the drainpipe block, see rinse stopper (17).

With respect to claim 4, see Figs. 1 and 2.

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With respect to claim 5, see [0067-0068] wherein a solvent rich environment is naturally volatilized via the design arrangement.

With respect to claim 8, see additional perimeter drain (12) that collects photoresist and rinse agent.

Claims 1-5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamauchi et al (US6,572,701).

Yamauchi et al teach a system for photoresist recovery comprising a nozzle (see col. 4, lines 7-8) to dispense photoresist, a bowl (11) having an interior region and an interior surface; a wafer platform and spindle (see col. 4, lines 3-7) disposed within the interior region of the bowl, the wafer spindle coupled to the wafer platform to spin the wafer platform to propel an excess amount of photoresist deposited upon a wafer placed upon the wafer platform to the interior surface of the bowl; a photoresist recovery container (52); and a perimeter drain (area 15, 19) formed within the bowl such that the excess amount of photoresist propelled from the wafer proceeds through the perimeter drain to the photoresist recovery container.

With respect to claim 2, see recovery drainpipe (51).

With respect to the drainpipe block, see rinse stopper (17).

With respect to claim 4, see Figs. 1 and 2.

With respect to claim 5, see (col. 8, lines 1-46) wherein a solvent rich environment is naturally volatilized via the design arrangement.

With respect to claim 8, see additional perimeter drain (12) that collects photoresist and rinse agent.

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Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura Edwards whose telephone number is (571) 272-1227. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Laura Edwards
Primary Examiner
Art Unit 1734

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October 26, 2005